

The New York Times
October 8, 1942.

PRESIDENT'S STATEMENT

The text of President Roosevelt's statement follows:

On Aug. 22 I said that this government was constantly receiving information concerning the barbaric crimes being committed by the enemy against civilian populations in occupied countries, particularly on the Continent of Europe. I said it was the purpose of this government, as I knew it to be the purpose of the other United Nations, to see that when victory is won the perpetrators of these crimes shall answer for them before courts of law.

The commission of these crimes continues.

I now declare it to be the intention of this government that the successful close of the war shall include revision for the surrender to the United Nations of war criminals.

With a view to establishing responsibility of the guilty individuals through the collection and assessment of all available evidence, this government is prepared to cooperate with the British and other governments in establishing a United Nations commission for the investigation of war crimes.

The number of persons eventually found guilty will undoubtedly be extremely small compared to the total enemy populations. It is not the intention of this government or of the governments associated with us to resort to mass reprisals. It is our intention that just and sure punishment shall be meted out to the ringleaders responsible for the organized murder of thousands of innocent persons and the commission of atrocities which have violated every tenet of the Christian faith.

BRITISH ANNOUNCE PLAN

Disown Tenet That All Germans Share War Guilt of Leaders

By Raymond Daniell

Wireless to The New York Times.

LONDON, Oct. 7 - The government seized the opportunity during a debate in the House of Lords today on punishment of war criminals to

repudiate formally "Vansittartism," as the tenet that all Germans share their leaders' culpability has come to be known.

The discussion of ways and means of punishing war crimes, precipitated by Viscount Maugham, former Lord Chancellor, was made the occasion for a declaration by Viscount Simon that the Allies do not intend to punish the Germans as a nation.

Lord Simon's statement was timed to coincide with a similar one issued by President Roosevelt in Washington.

A list of offenders against the rules of war and international law was being drawn up, he disclosed, and their surrender would be demanded as part of the armistice terms.

Announcement of the plan at this time was expected by the government to be an encouragement to the occupied countries and a safeguard against the wholesale massacre of Germans.

Lord Addison commended the plan as one that would avoid another such fiasco as in 1919, when the list of war criminals was withheld until the signing of the peace treaty and none was actually punished.

The Netherland and Belgian Ambassadors and members of the Yugoslav and Polish Embassy staffs listened attentively to the debate from the distinguished visitors' gallery.

In order to gain custody of the accused, said Lord Simon, the United States and Great Britain were making a joint declaration that the accused "wanted for war crimes should be caught and handed over at the time of and as a condition of the armistice with the right to acquire the delivery of others as soon as supplementary investigations are completed."

Lord Simon said the plan had the approval of the European Allies with headquarters here and that Fighting France had associated herself with the joint declaration. He said it had been submitted also to the Soviet Union, China, India and the British Dominions and their replies were awaited.

Lord Simon pointed out that the proposal contemplated post-war action in a field where there were few precedents, but he declared that the Nazis had cast out the whole international code and set no limits to the ferocity with which the inhabitants of occupied countries, the aged, the children, the women and the Jews had been treated.

Composition of Tribunals

During the debate some speakers raised the question whether war criminals should be tried by tribunals made up of nationals of the countries where their outrages were committed or by international courts, and whether these courts should be military or civil. Some speakers were concerned lest the culprits escape and claim the right of asylum in countries other than their own.

Lord Maugham suggested that British courts should have jurisdiction to try persons accused of serious crimes against British subjects, even though the crimes charged were committed on alien soil.

Answering these points, Lord Simon said he was much attracted by "the practical good sense" of the Marquess of Crewe's observation that military courts generally act with greater expedition than civil courts, and remarked that the laws of war permitted belligerent commanders to punish hostile offenders against the laws and customs of war. Prompt action was essential, he said, and the victorious armies and navies might prove the proper bodies to deal with many horrible crimes.

Lord Simon said he thought the composition of international courts would be a difficult problem with so many belligerents. Regarding the possibilities of extradition, he said there was not, as many persons believed, any private right recognized by international law as the right of asylum.

檢察部文書第三二七三號

ニューヨーク。タイムス、一九三二年十月八日木曜

大統領聲明

ルーズベルト／ROOSEVELT／大統領聲明、本文次、
如シ

八月二十二日ニ余ハ我方政府ガ侵占諸國、特ニ歐洲大陸ニ於テ敵軍ガ其人口中一般人ニ加ヘタル野蠻ナル犯罪ニ斷然間断ナキ連鎖ニ接シ后ルコトヲ申述ベタノテアツタ。

戰勝ノ際ハ是等ノ犯罪ヲ犯シタ者ヲ法廷ニ於テ裁キヲ受ケシムベキコトハ我方政府ノ意圖テアリ、又余ノ知ルトコロテハ其ハ他ノ連合國ノ意圖スルトコロテモアル旨ヲ余ハ語ツタ。

此等ノ犯行ハ繼續サレテ后ルノテアル。

倘テ戰爭ガ勝利ノ終局ヲ見タ場合、敗母犯罪人ヲ連合國ニ引渡スコトヲ含ム條項ヲ設ケルコトハ我政府ノ意圖テアルコトヲ余ハ改メテ言及スル。

入手シ得ベキ證テノ證據ノ蒐集及裁定ニヨリ犯罪者各個人ノ責任ヲ確定スル目的ヲ以テ我政府ハ戰爭犯罪者

理ノ爲連合國委員會ヲ設ケル様英國及其他ノ國ノ政府
 ト協力スル用意ガアル。
 特局ニ於テ有罪トナルベキ人々ノ數ハ敵ノ全体ノ人口
 ニ比ベテハ疑モナク極メテ少ナイダロウ
 大量報復ノ手段ヲ採ルコトハ我政府又ハ連合國政府ノ
 意思テハナイ
 教徒ヲ侵犯スル暴虐犯行ニ付責任ヲ有スル首謀者ニ公
 正且ツ確實ナル刑罰ヲ課スルコトガ我々ノ意圖スルト
 コロノモノテアル

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英、計量ヲ發表

指導者ノ戰爭犯罪ニ全ドイツ人モ責ヲ分ツ
ベキモノトスル旨ヲ訴ス

レイモンド・ダニエル/RAYMOND DANIEL/記

ニューヨーク・タイムス/NEW YORK TIMES/宛
ロンドン/LONDON/十月七日

上院ニ於ケル戰爭犯罪人處罰ニ關スル前論ノ際、
總テノ、ドイツ人ハソノ指導者ノ眞惡ヲ共ニ分ツ
ベキモノトスル主張ガ現ヘレタドキ、公式ニ「ヴァ
ンシタート主義」/“VANSHARTISM”/ヲ否認
スル體會ヲ幾ヘタ。

元大法官モーリス子爵/VISCOUNT MAUGHAM/＝
依リ我セラレ多戰爭犯罪處罰ノ方法手段ニ就テノ論
議ハ、サイモン子爵/VISCOUNT SIMON/ノガ聯
合町ハ、ドイツ人ヲ一民族トシテ處罰スルノ意ナ
シト旨固スルキツカケトナツタ。

サイモン卿/LORD SIMON/ノノ聲明ハ、ワシ
ントン/WASHINGTON/ニ於テローズベルト
/ROOSEVELT/ノ大統領ノ發シタ同様聲明ト時ラ
同ジクスル様ニ行ハレタ。

同卿ハ、戦争法規及國際法違反者ノ名簿ヲ作成申
テアガコト、反ビ之等ノ者ノ引渡シハ亦戰勝
一部トシテ取次スルコトナルコトヲ明カニシタ。
今回ノ本宗發表ガ被占領諸國ニ謝スル戰勝ナリ
且ツドイツハニヨル大量殺戮ニ謝スル防衛トナ
ベキコト方政府ニ依リ猶待サレテイル。

アディソン卿／LORD ADDISON／ハ、當時戦争犯は
者名籍が平和条約ノ署名ノ際に遺留保有し、實際ニ
一名モ處罰サレタ者ノナカツタ、一九一九年ノ時
ノ様ナ大失敗ヲ又譲返スコトヲ防グモノトシテ、
本案ヲ稱讃シタ。

オランダ及ベルギー兩國大使、並ニエゴトスラ
ヴィア及セボーランド兩國大使信員ハ實政席テ、
此ノ試験ヲ無心ニ頓轟シテイタ。

サイモン卿 / LORD SIMON / ハ、合衆國及ビタニ
國ハ、彼等ヲ試方ニ容スルタメ、一戦争犯罪ノ
證ニ身柄ヲ求メラル、證告ハ逮捕ノ上捕足詞云ノ
完了次第其犯ノ首ノ引渡シヲ受クル懲刑ト共ニ、
併戰ノ一條件トシテ、併戰ノ際引渡サルベキモノ
トストイフ共同防犯ヲ併成中テアルト述ベタ。

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サイモン卿 / LORD SIMON / ハ、右宗へ當地ニ司
令部ヲ置イテ后ル、ヨーロッハノ聯合諸國ノ承認
ヲ得テ后ルコト反ビ「抗争フランス」ガ右共國
ニ参加シテキルコト、ヲ述べタ。尙右ヘソシ、中
國、インド、及ビ大英自治領諸國ニモ表示セラレ
ンノ國皆ヲ得ツテキルト述べタ。

サイモン卿 / LORD SIMON / ハ、此ノ議識ガ前項
ノ獨ナ方國ニ於ケル戰後ノ遺産ヲ企圖スルモノテ
アルコトヲ指摘シタ、但シ茲ヘ、ナチガアラユル
國際法規ヲ無視シ、且ツ我占領國ノ住民ヲ、毫
無女タルトユダヤ人タルトフ國ハズ之ヲ取扱フニ
國リナキ暴虐ヲ以テシテキルカラダトシベタ。

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前回中若干ノ紳士ハ戰爭犯罪人ハ彼等ノ暴行ガ行
ハレタ諸國ノ國籍人ニヨツテ憲法サレル裁判所ニ依
リ審理サルベキモノカ成ハ國際裁判所ニ依リ審理サ
ルベキモノカ、又コレハ軍事裁判所ニスペキカ普通
裁判所ニスペキカ、ト云フ質問ヲ提出シタ。發言者
ノ中ニハ、犯罪人達ガ逃亡シテ自国外ノ諸國ニ於テ
保護權ヲ要求シハシナイカトイフ點ヲ懸念スル旨モ
アツタ。

モ 1 ム /MAUGHAM/ 細ハ、英國裁判所ハ假令他國ノ
領土テ犯サレタモノアツテモ英國民ニ對スル重大
ナル犯罪ニ關シ起訴サレタル事ニ論シテハ、之ヲ
審理スル權限ヲ持ツベキダトト提議シタ。

コレ等ノ點ニ答ヘテサイモン/HM/ 細ハ、軍事
裁判所ハ一般ニ普通裁判所ヨリ速ニ迅速ニ事ヲ逕フ
ト云フクルノ由^由長ノ所監ノ實際的ナ常識
ニハ深イ感銘フ覺エルモノダト言ヒ、戰爭法規ハ支
那國指揮官ニ戰爭法規及慣習ニ違反セル敵國人ヲ所
屬スルコトヲ許シテ居ル、ト言フタリ。彼ハ、迅速ナ
行動ガ所要テアリ、且ツ歐洲國將軍ハ多クノ怒ルベ
キ犯罪ヲ處理スルニ適當ナ極圖テアルト言フタ。

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サイモン /SIMON/ 卿ハ、交戦國ガソノヨウニ多ク
テハ國際裁判所ノ構成ハ難問題テアルト寺ヘルト言
フタ。亡命者引渡ノ可能性ニ關シテハ、彼ハ多クノ
人々ガ信ジテ后ルヨウニ、保護権ノ如キ私権ハ何等
國際法ニ依リ認メラレテイナイト述ベタ。

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